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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,170	10/31/2003	Ankur Bhatt	13906-121001 / 2003P00232	1615
32864	7590	04/14/2006	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			KIM, PAUL	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/699,170

Applicant(s)

BHATT ET AL.

Examiner

Paul Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**

**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date (3).

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is responsive to the following communication: Application filed on 31 October 2003.
2. Claims 1-20 are pending and present for examination. Claims 1, 8, and 15 are independent.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because of the dual designations of the following reference characters
  - Reference character "21" has been used to designate both a "copy request" and a "Processor";
  - Reference character "26" has been used to designate both an "Import Agent" and a "Target System";
  - Reference character "73" has been used to designate both the step of "determining if a reference data file is specified" and an "Exit" button;
  - Reference character "75" has been used to designate both the step of "uncompressing a reference data file" and a "View Selected Log" button; and
  - Reference character "77" has been used to designate both the step of "reading ADO information for data elements and related data elements in a reference data file" and a "View Completed Log" button.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are

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not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Reference character "103".

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because of the following:

- Figures 2-8 contain reference characters which are handwritten; and
- Figure 5 should contain directional arrows for the flowchart.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-3 and 5-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al (U.S. Patent No. 6,671,757, hereinafter referred to as MULTER), filed on 26 January 2000, and issued on 30 December 2003.

8. **As per independent claims 1, 11 and 15**, MULTER teaches the following:

A method comprising:

accessing at least one data element representing a delta data change from a source database of a source system, the delta data change existing in a first collection of data in the source database {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

copying the at least one data element to an export data file {See MULTER, col. 6, lines 6-8, wherein this reads over "converts the information extracted into difference information"};

transporting the export data file from the source system to a target system having a target database {See MULTER, col. 6, lines 20-30, wherein this reads over "transmit only those differences (instructions for where to insert those differences) to the differencing receiver"};

displaying, at the target system, a user interface {See MULTER, col. 13, wherein this reads over "[a] user interface is provided to allow additional functional features to a system user "} that identifies ones of the at least one data element that exist in a second collection of data stored in the target database {See MULTER, col. 6, lines 8-11, wherein this reads over "[d]ifference information comprises only the changes to System B's data which have occurred on System B and instructions for implementing those changes"}, to prompt a user selection of desired ones of the at least one data element to be copied in the target database {See MULTER, col. 2, lines 43-45, wherein

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this reads over "[i]f both files have changed, then the synchronization routine presents the option of conflict resolution to the user"; and

copying selected ones of the at least one data element to the target database (See MULTEP, col. 6, lines 52-58, wherein this reads over "a separate database of the difference information provided by System A . . . stored for later retrieval by System B"); and

9. **As per dependent claims 2, 10, and 16, MULTEP teaches the following:**

The method of claim 1 wherein copying the at least one data element to the export data file comprises:

comparing the at least one data element to a data element stored in a reference export data file (See MULTEP, col. 6, lines 3-6, wherein this reads over "differencing transmitter . . . examines a specified data structure of information which is to be transmitted"); and

storing the at least one data element to the export data file based on the comparison (See MULTEP, col. 6, lines 8-11, wherein this reads over "[d]ifference information comprises only the changes to System B's data which have occurred on System B and instructions for implementing those changes"); and

10. **As per dependent claims 3, 9, and 17, MULTEP teaches the following:**

The method of claim 1 further comprising copying a related data element from the source database to the export data file, the related data element relates to one of the at least one data element (See MULTEP, col. 6, lines 6-19, wherein this reads over "[d]ifferencing transmitter extracts such information from System A and converts the information extracted into difference information. Difference information comprises only the changes to System B's data which have occurred"); and

11. **As per dependent claims 5, 12, and 18, MULTEP teaches the following:**

The method of claim 1,

wherein copying selected ones of the at least one data element to the target database comprises copying a related data element from the export data file to the target database, the related data element relates to one of the at least one data element (See MULTEP, col. 6, lines 52-60, wherein this reads over "[s]torage server may store a separate database of the difference information provided by System A" and "multiples sets of difference information may be provided at different points in time, and stored for later retrieval by stem B"); and

12. **As per dependent claims 6, 13, and 19, MULTEP teaches the following:**

The method of claim 5,

wherein copying to the target database comprises generating a restorable archive file using the ones of the at least one data element that exist in the second collection of data stored in the target database (See MULTEP, col. 6, lines 60-64, wherein this reads over "the difference information sets may be maintained on server to allow data on either System A or System B to be returned to a previous state"); and

13. **As per dependent claim 7, 14, and 20, MULTEP teaches the following:**

The method of claim 6

wherein generating the restorable archive file comprises using a related data element to the at least one data element, the related data element existing in the second collection of data

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stored in the target database {See MULTER, col. 6, lines 60-64, wherein this reads over "the difference information sets may be maintained on server to allow data on either System A or System B to be returned to a previous state"};

14. **As per independent claim 8, MULTER teaches the following:**

A system comprising:

a computer network {See MULTER, Figure 7; and col. 1, lines 57-65, wherein this reads over "system A", "system B", and "type of network"};

a source system coupled to the computer network {See MULTER, col. 1, lines 57-65, wherein this reads over "system A"}, the source system storing a first collection of data in a source database {See MULTER, Figure 5};

a target system coupled to the computer network {See MULTER, col. 1, lines 57-65, wherein this reads over "system B"}, the target system storing a second collection of data in a target database {See MULTER, Figure 5};

a service delivery device coupled to the network, the service delivery device including a processor and memory storing instructions that, in response to receiving a first type of request for access to a service {See MULTER, col. 6, lines 3-6, wherein this reads over "[t]he differencing transmitter, upon receipt of a control signal enabling operation of the transmitter, examines a specified data structure of information which is to be transmitted to system B}, cause the processor to:

access at least one data element representing a delta data change from the source database of the source system, the delta data change existing in the first collection of data in the source database {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

copy the at least one data element to an export data file {See MULTER, col. 6, lines 6-8, wherein this reads over "converts the information extracted into difference information"}; and

transport the export data file from the source system to the target system having the target database {See MULTER, col. 6, lines 20-30, wherein this reads over "transmit only those differences (instructions for where to insert those differences) to the differencing receiver"}.

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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16. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over MULTER, in view of Yuen (U.S. Patent No. 5,423,033, hereinafter referred to as YUEN), filed on 30 September 1992, and issued on 6 June 1995.

MULTER teaches the limitations of claims 1-3 and 5-20 for the reasons stated above.

MULTER differs from the claimed invention in that MULTER fails to disclose a method wherein the data element represents a report, and the related data element represents a graphical illustration of data in the report (claim 4).

17. **As per dependent claim 4**, MULTER, in view of YUEN, discloses a method wherein the at least one data element represents a report {See YUEN, col. 1, lines 44-46, wherein this reads over "[r]eport may also provide multiple data elements for each row"; and lines 50-52, wherein this reads over "a particular data element on the report"} and the related data element represents a graphical illustration of data in the report {See YUEN, col. 2, lines 28-34, wherein this reads over "in a graphics-based report, the system may generate a secondary report showing detailed information concerning a selected graphical element, such as a wedge in a pie chart"}.

The combination of the inventions disclosed in MULTER and YUEN would disclose a method wherein the data element represents a report (i.e. the data element representing certain data in the report) and the related data element represents a graphical illustration of data in the report (i.e. a wedge in a pie chart). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions suggested by MULTER and YUEN.

One of ordinary skill in the art would have been motivated to do this modification so that data elements, such as contact information, charts and reports, and related data elements, such as report layout logic and text elements, may be copied from a source database to a target database.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272 2737. The examiner can normally be reached on M-F, 9am - 5pm.




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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**PRIMARY EXAMINER**